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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,807	05/04/2001	Guy B. Irving	067856.0215	7916
7590	05/24/2004			EXAMINER
Kevin J. Meek Baker Botts L.L.P. Suite 600 2001 Ross Avenue Dallas, TX 75201-2980			MANOSKEY, JOSEPH D	
			ART UNIT	PAPER NUMBER
			2113	g
DATE MAILED: 05/24/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

201

Office Action Summary	Application No.	Applicant(s)	
	09/848,807	IRVING, GUY B.	
	Examiner	Art Unit	
	Joseph Manoskey	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 March 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 March 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7 and 8</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Amendment A, page 10 and 11, filed March 5, 2004, with respect to the Drawings and Specification have been fully considered and are persuasive. The objections of the Drawings and Specification have been withdrawn.

2. Applicant's arguments, see Amendment A, page 11, filed March 5, 2004, with respect to the rejection(s) of claim(s) 1-27 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of new found prior art, see rejection below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-3, 13-15, 17, 20, 21, 24, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Surresh et al., U.S. Patent 5,666,485, hereinafter referred to as "Surresh".

5. Referring to claim 1, Surresh teaches a system processing unit (SPU), which is interpreted as a server processing card on a printed circuit board (See Fig. 1 and Col. 1, lines 53-55). Surresh discloses the SPU having a CPU and memory (See Fig. 2). Surresh also teaches the SPU having SIU cards, interpreted as network interface cards, coupled to the PCB of the SPU via the backplane (See Fig. 1). Surresh teaches a SPU bus driver, interpreted as a master control module, that will allow the SPU to act as a master or a slave, this is interpreted as monitoring a master signal being communicated to the server processing card (See Col. 4, lines 49-50). Finally disclosed is the SPU being in either a master or slave role, where by the slave SPU is in standby, this is interpreted as master control module remaining idle when the master control signal is not detected (See Col. 1, lines 57-58 and Col. 4, lines 50-51).

6. Referring to claim 2, Surresh teaches the master SPU being active, this is interpreted as the master control module being active if the master control signal is detected (See Col. 1, lines 54-56).

7. Referring to claim 3, Surresh teaches the active SPU being a master and being coupled to a plurality of slave units (See Fig. 1 and 2, and Col. 1, lines 54-56). This is interpreted as the active master control module performing hardware master responsibilities with regard to a plurality of cards coupled to the server processing card.

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8. Referring to claim 13, Surresh teaches the use of a backplane, this is interpreted as a control bus (See Fig. 1). Surresh teaches the active SPU being a master and being coupled to a plurality of slave units (See Fig. 1 and 2, and Col. 1, lines 54-56). Surresh also teaches that slave modules must communicate with intervention from a master (See Col. 1, lines 59-61). This is interpreted as the active master control module performing hardware master responsibilities and controlling the operation of components of the cards coupled to the master server processing card through the control bus.

9. Referring to claim 14, Surresh discloses the system, interpreted as a server chassis, having a plurality of SPUs, where any SPU can be a master, this is interpreted as a plurality of server processing cards each with respective master control modules (See Fig.1 and Col. 4, lines 49-50). Surresh also teaches the use of a backplane for communication among the SPUs, which is interpreted as a midplane (See Fig. 1). Surresh teaches an active SPU being a master and being coupled to a plurality of slave units (See Fig. 1 and 2, and Col. 1, lines 54-56). This is interpreted as the active master control module performing hardware master responsibilities with regard to a plurality of cards coupled to the server processing card.

10. Referring to claims 15, 20, and 24, Surresh teaches a method, system and means for SPUs, interpreted as server processing cards (See Fig. 1 and Col. 1, lines 5-8). Surresh teaches a SPU bus driver, interpreted as a master control module, that will

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allow the SPU to act as a master or a slave, selecting a card to be a master and transmitting a hardware master control signal to that card (See Col. 4, lines 49-50). Surresh teaches the master SPU being active, this is interpreted as the master control module being activated (See Col. 1, lines 54-56). Surresh teaches the active SPU being a master and being coupled to a plurality of slave units (See Fig. 1 and 2, and Col. 1, lines 54-56). This is interpreted as the active master control module performing hardware master responsibilities with regard to a plurality of cards coupled to the server processing card.

11. Referring to claims 17, 21, and 25, Surresh teaches the active SPU being a master and being coupled to a plurality of slave units (See Fig. 1 and 2, and Col. 1, lines 54-56). Surresh also teaches that slave modules must communicate with intervention from a master (See Col. 1, lines 59-61). This is interpreted as the active master control module performing hardware master responsibilities and controlling the operation of at least a subset of the cards coupled to the server processing card.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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13. Claims 4-12, 16, 18, 19, 22, 23, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Surresh in view of Nouri et al., U.S. Patent 6,145,098, hereinafter referred to as "Nouri".

14. Referring to claims 4 and 5, Surresh discloses all the limitations (See rejection of 3) except for the monitoring of health information of the server processing cards including operating temperature, voltages, fan speed, and disk drive health. Nouri teaches monitoring temperatures, power settings, fan speeds, and canister presence, which is interpreted as disk drive health information (See Col. 5, lines 52-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master monitor of Surresh with the monitoring of health information of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because it provides information that is very helpful in diagnosing the server system (See Nouri, Col. 5, lines 50-51).

15. Referring to claims 6 and 7, Surresh discloses all the limitations (See rejection of 3) except for the monitoring of configuration information of the server processing cards including size of disks, speed of a processor, unique ids for components, memory capacities, and operating capacities of power supplies. Nouri teaches monitoring system log sizes, interpreted as size of disk drives and memory capacities, core speeds, serial numbers, and power settings (See Col. 5, lines 52-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the

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master monitor of Surresh with the monitoring of health information of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because it provides information that is very helpful in diagnosing the server system (See Nouri, Col. 5, lines 50-51).

16. Referring to claims 8 and 9, Surresh and Nouri teach all the limitations (See rejections of claims 4-7).

17. Referring to claims 10 and 11, Surresh discloses all the limitations (See rejection of claim 3) except for the master control module including the ability to reboot at least one computing device and to boot up from an OS that is remote on a LAN. Nouri teaches the ability to reset the server system including a remote client computer, this is interpreted as the ability to reboot a server component and to reboot using a remote OS from a remote component connected via a LAN (See Col. 5, lines 27-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master server process of Surresh with the ability to reset the server component with remote OS of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do this because allows the server and OS to be brought to a normal operating state (See Nouri, Col. 5, lines 40-41).

18. Referring to claim 12, Surresh teaches all the limitations (See rejection of claim 3) except for the master control module is configured to report health and configuration

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data to a device on the LAN. Nouri teaches the retrieval of system conditions through utilization of a remote interface (See Col. 5, lines 52-53). This is interpreted as the master control module configured to provide health and configuration information to a remote component of the LAN. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master monitor of Surresh with the monitoring of health information of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because it provides information that is very helpful in diagnosing the server system (See Nouri, Col. 5, lines 50-51).

19. Referring to claim 16, Surresh discloses all the limitations (See rejection of 15) except for the information being health and configuration information of the server processing cards. Nouri teaches monitoring temperatures, power settings, fan speeds, and canister presence, all of which is interpreted as health information (See Col. 5, lines 52-67). Nouri also teaches monitoring system log sizes, interpreted as size of disk drives and memory capacities, core speeds, serial numbers, and power settings, all of which is interpreted as configuration information (See Col. 5, lines 52-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master monitor of Surresh with the monitoring of health information of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because it provides information that is very helpful in diagnosing the server system (See Nouri, Col. 5, lines 50-51).

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20. Referring to claims 18 and 19, Surresh discloses all the limitations (See rejection of claim 15) except for the master control module including the ability to reboot at least one computing device and to boot up from an OS that is remote on a LAN. Nouri teaches the ability to reset the server system including a remote client computer, this is interpreted as the ability to reboot a server component and to reboot using a remote OS from a remote component connected via a LAN (See Col. 5, lines 27-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master server process of Surresh with the ability to reset the server component with remote OS of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do this because allows the server and OS to be brought to a normal operating state (See Nouri, Col. 5, lines 40-41).

21. Referring to claims 22 and 23, Surresh discloses all the limitations (See rejection of claim 20) except for the master control module including the ability to reboot at least one computing device and to boot up from an OS that is remote on a LAN. Nouri teaches the ability to reset the server system including a remote client computer, this is interpreted as the ability to reboot a server component and to reboot using a remote OS from a remote component connected via a LAN (See Col. 5, lines 27-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master server process of Surresh with the ability to reset the server component with remote OS of Nouri. This would have been obvious to one of ordinary skill in the art at

the time of the invention to do this because allows the server and OS to be brought to a normal operating state (See Nouri, Col. 5, lines 40-41).

22. Referring to claims 26 and 27, Surresh discloses all the limitations (See rejection of claim 24) except for the master control module including the ability to reboot at least one computing device and to boot up from an OS that is remote on a LAN. Nouri teaches the ability to reset the server system including a remote client computer, this is interpreted as the ability to reboot a server component and to reboot using a remote OS from a remote component connected via a LAN (See Col. 5, lines 27-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the master server process of Surresh with the ability to reset the server component with remote OS of Nouri. This would have been obvious to one of ordinary skill in the art at the time of the invention to do this because allows the server and OS to be brought to a normal operating state (See Nouri, Col. 5, lines 40-41).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Manoskey whose telephone number is (703) 308-5466. The examiner can normally be reached on Mon.-Fri. (8am to 4:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDM
May 18, 2004


ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100